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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Case No. 18-cv-04865-EMC (KAW)

**ORDER REGARDING MOTION FOR
ISSUANCE OF LETTERS ROGATORY**

Re: Dkt. No. 303

On January 14, 2021, Plaintiff filed a motion for issuance of letters rogatory. (Pl.'s Mot. for Letters Rogatory, Dkt. No. 303.) In his motion, Plaintiff stated that "Defendants do not object to the relief requested for letters rogatory, but do not otherwise agree with the statements herein." (*Id.* at 1.) It also appears that the parties indicated that the motion would be unopposed at the January 14, 2021 case management conference. (Dkt. No. 306.)

It is unclear why Plaintiff filed a motion for issuance of letters rogatory if Defendants do not intend to oppose. Northern District of California Guideline for Professional Conduct 10(b) states that "[a] lawyer should not engage in conduct that forces opposing counsel to file a motion that he or she does not intend to oppose." Thus, if Defendants do not object, the parties should have stipulated to the relief sought.

Accordingly, the Court ORDERS that by **January 28, 2021**, Defendants shall file an opposition to Plaintiff's motion for letters rogatory. If Defendants do not oppose, the parties shall file a stipulation.

IT IS SO ORDERED.

Dated: January 21, 2021


KANDIS A. WESTMORE
United States Magistrate Judge